

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

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| Application of |) | |
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| NEOS S.p.A. |) | |
| |) | Docket DOT-OST-2008-0075 |
| for a blanket statement of authorization |) | |
| pursuant to 14 C.F.R. Part 212 |) | |
| |) | |

**APPLICATION OF NEOS S.P.A.
FOR A BLANKET STATEMENT OF AUTHORIZATION**

Communications with respect to the
above should be addressed to:

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DATED: June 16, 2022

Attorneys for NEOS S.p.A.

NOTICE: NEOS S.p.A. requests expedited treatment and will poll U.S. carriers and
advise the Department of the results as soon as possible.

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**APPLICATION OF NEOS S.P.A.
FOR A BLANKET STATEMENT OF AUTHORIZATION**

Pursuant to 14 C.F.R. Part 212, NEOS S.p.A. (“NEOS”) hereby applies for a blanket Statement of Authorization permitting it to place the *2B airline designator code of Albawings sh.p.k (“Albawings Airlines” or “Albawings”) on NEOS transatlantic flights between Italy and the United States on a blind-sector basis. Service will initially be between Milan Malpensa Airport (MXP) on the one hand, and John F. Kennedy International Airport (JFK) on the other hand. NEOS requests that the Statement of Authorization be granted for an indefinite period. NEOS and Albawings intend to implement the proposed codesharing services as soon as all required governmental approvals are in place. NEOS therefore respectfully requests expedited approval of this application so that marketing and sale of the new codeshare service can begin immediately.¹

In support of this application, NEOS states the following:

1. NEOS is a foreign air carrier of the Republic of Italy. It holds a foreign air carrier permit authorizing it to engage in foreign scheduled and charter air transportation of persons, property, and mail from any point or points behind any Member State of the European Union, via

¹ NEOS will poll U.S. carriers on the attached service list and requests a waiver, to the extent necessary, of the 45-day advance filing requirement contained in 14 C.F.R. §212.10(d)(2).

any point or points in any Member State and via intermediate points to any point or points in the United States and beyond.² Thus, NEOS holds underlying authority for the proposed codeshare service.

2. Albawings is a foreign air carrier of the Republic of Albania. In parallel with this application Albawings has filed an application for a foreign air carrier permit and exemption authority to engage in scheduled foreign air transportation of persons, property and mail on a codeshare-only basis from any point or points behind Albania, via any point or points in Albania and any intermediate points, to any point or points in the United States and beyond to the full extent permitted by the U.S.-Albania Air Transport Agreement of September 24, 2003 (“U.S.-Albania Open Skies Agreement”).

3. The proposed codeshare services are consistent with the U.S.-EU-Iceland-Norway Air Transport Agreement of June 21, 2011, as amended (“U.S.-EU Open Skies Agreement”), and the U.S.-Albania Open Skies Agreement, which allow carriers to engage in cooperative marketing arrangements such as codeshare arrangements with airlines of either party or with third-party airlines.³

4. NEOS initially intends to carry the *2B designator code of Albawings on flights between MXP, on the one hand, and JFK on the other hand. NEOS and Albawings plan to begin the proposed codesharing as soon as all government approvals have been granted, and therefore NEOS respectfully request a waiver of the requirement for 45-day advance notice of the starting date of codeshare services.

² DOT Order 2021-6-30 issued April 27, 2021, Docket DOT-OST-2008-0075.

³ U.S.-EU Open Skies Agreement Art. 10, Para. 7; U.S.-Albania Open Skies Agreement Art. 8, Para. 7.

5. Pursuant to the Department's *Notice In the Matter of Blanket Notification of Code-Share Service to Open-Skies Partners and Points*, dated February 9, 2009, NEOS hereby provides 30-day notice of its intent to engage in code-share services with Albawings between open skies points. NEOS will notify the Department no later than 30 days before commencing any codeshare services to non-open skies points pursuant to the terms of its Statement of Authorization in this docket.

6. The codesharing proposed by NEOS and Albawings will represent a valuable service enhancement for passengers travelling between the Balkans and the United States, and will also help stimulate traffic between Albania and the United States. The authority sought is consistent with the public interest and will provide the traveling public with additional pro-competitive service options. The Department has long recognized the importance and value of codeshare arrangements as demonstrated by the inclusion of codeshare rights in the model Open-Skies agreement text.

7. NEOS will accept the standard conditions applicable to the grant of codeshare authority requested herein. The parties will conduct the codesharing activities in compliance with Part 257 of the Department's economic regulations and any other applicable rules and regulations.

WHEREFORE, NEOS respectfully requests that the Department grant it a Statement of Authorization as described above, waive the 45-day advance notice provision in the Department's rules, and grant any additional relief as the Department deems appropriate.

Respectfully submitted,



Evelyn D. Sahr
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Eric A. Felland
Eckert Seamans Cherin & Mellott, LLC

DATED: June 16, 2022

Attorneys for NEOS S.p.A.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application for a Statement of Authorization was served by electronic mail this Thursday, June 16, 2022 on the following:

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